

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-13 SAJ-01 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

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R 271830Z JUL 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 0734

INFO USMISSION USBERLIN

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 12639

E.O. 11652: GDS

TAGS: PFOR, PBOR, GW, GE

SUBJECT: INCIDENTS ON FRG-GDR BOUNDARY

REF: BONN 12541

BEGIN SUMMARY: BONN HAS FOLLOWED UP ITS EARLIER ORAL PROTESTS TO EAST BERLIN ON THE BORDER INCIDENTS WITH A WRITTEN NOTE HANDED TO GDR DEPUTY FOREIGN MINISTER NIER. THE GDR CONTINUES TO TAKE A HARD LINE BOTH IN PUBLIC AND VIS-A-VIS PERM REP GAUS. PRESS PLAY ON THE INCIDENTS CONTINUES TO BE HEAVY AND THE BONN GOVERNMENT HAS BEGUN TO TAKE STEPS WITH THE AIM OF KEEPING THE PUBLIC REACTION UNDER CONTROL. EVIDENCE SO FAR IS THAT THE WOUNDED MAN HAD CROSSED INNOCENTLY INTO THE GDR. END SUMMARY.

1. FOLLOWING UP ON HIS ORAL PROTEST OF JULY 25, GAUS CALLED ON GDR DEPUTY FOREIGN MINISTER NIER ON JULY 26 TO HAND OVER A WRITTEN PROTEST OF THE RECENT BORDER INCI-
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DENTS, EMPHASIZING PARTICULARLY THE UNCALLED FOR SHOOTING

OF WILLI BUBBER. THE NOTE STATED THAT THE SHOOTING WAS PARTICULARLY INAPPROPRIATE IN VIEW OF THE INNOCENT NATURE OF BUBBER'S BORDER VIOLATION. ACCORDING TO FRG OFFICIALS WE HAVE TALKED WITH IN THE INNER-GERMAN AFFAIRS MINISTRY AND FOREIGN OFFICE, NIER'S RESPONSE WAS UNYIELDING IN INSISTING THAT GDR OFFICIALS HAD ACTED CORRECTLY. IN FACT, NIER PROTESTED TO GAUS THE NUMEROUS "BORDER VIOLATIONS" BY WEST GERMANS.

2. GAUS REQUESTED GDR PERMISSION FOR MEMBERS OF BUBBER'S FAMILY AND FOR OFFICIALS FROM THE FRG PERMANENT REPRESENTATION IN EAST BERLIN TO VISIT THE MAN IN THE HOSPITAL. OUR SOURCES INFORMED US THAT PERMISSION WAS REFUSED ON THE GROUNDS THAT NO VISITORS WOULD BE ALLOWED UNTIL THE PROCEEDINGS AGAINST BUBBER'S BORDER VIOLATION HAD BEEN CONCLUDED. HOWEVER, WE ARE TOLD IT IS UNLIKELY THAT THE GDR WILL STICK WITH THIS LINE.

3. OUR SOURCES ALSO TELL US THAT, WHILE THE INVESTIGATION IS NOT COMPLETED, CURRENT EVIDENCE REVEALS NO SINISTER MOTIVE IN BUBBER'S CROSSING INTO GDR TERRITORY. FRAU BUBBER HAS TOLD WEST GERMAN AUTHORITIES THAT HER HUSBAND "DISAPPEARED" FROM THE CAMPING GROUNDS NEAR THE BORDER WHERE THEY WERE STAYING AND SHE DOES NOT KNOW WHERE HE WAS BETWEEN THEN AND WHEN HE WAS SHOT. THE EYE WITNESS (NOT AS DIE WELT REPORTED -- SEE PARA 5 REFTTEL -- BUT A CIVILIAN) TOLD INVESTIGATORS THAT BUBBER HAD ALMOST REACHED THE HEAVY WIRE FENCE, AT THAT LOCATION ABOUT 60 METERS FROM THE BORDER, WHEN HE FINALLY HEEDED BORDER TROOPS' ADMONITIONS AND BEGAN TO RETURN TO THE FRG. BUT BY THEN IT WAS TOO LATE AND HE WAS SHOT. THE EAST GERMANS COMPLAINED TO GAUS THAT BUBBER HAD YELLED INSULTS AT THEIR BORDER GUARDS.

4. THE THEORY OF AN INNER-GERMAN AFFAIRS MINISTRY OFFICIAL WE TALKED WITH IS THAT BUBBERS SLIPPED AWAY FROM THE CAMPING GROUNDS TO DO SOME SERIOUS DRINKING AND THAT, EMBOLDENED BY ALCOHOL, HE SET OUT TO TELL THE CONFIDENTIAL

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EAST GERMAN BORDER GUARDS WHAT HE REALLY THOUGHT OF THEM. AS THE OFFICIAL PUT IT, HE WAS LIKE THE DRUNK MOUSE WHO GOES LOOKING FOR THE CAT.

5. THE SAME OFFICIAL ALSO GAVE US HIS ANALYSIS OF DEVELOPMENTS ALONG THE BORDER. HE SAID UNTIL RELATIVELY RECENTLY THERE HAD BEEN VERY LITTLE SHOOTING ON THE BORDER. THE WIDESPREAD USE OF

MINES HAD LARGELY MADE SHOOTING UNNECESSARY AND ALSO HAD A DETERENT EFFECT ON CURIOUS WESTERNERS SINCE IT WAS OBVIOUS THAT THE MINE FIELDS WERE DANGEROUS. THE EAST GERMANS ALSO BEHAVED IN A MORE MODERATE WAY AND IN FACT FREQUENTLY SIMPLY WARNED WESTERNERS OUT OF GDR

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TERRITORY WITHOUT TAKING THEM INTO CUSTODY OR SHOOTING AT THEM. THIS BEHAVIOR WAS EVEN CODIFIED IN A SECRET PROTOCOL TO THE FRG-GDR AGREEMENT ON LUEBECK BAY WHICH PROVIDED THAT GDR BORDER GUARDS WOULD USE "APPROPRIATE" MEANS OF DEALING WITH INNOCENT INTRUDERS. ACCORDING TO OUR SOURCE THIS PROVISION HAS BEEN FULLY COMPLIED WITH BY THE GDR IN THE AREA OF ITS APPLICABILITY.

6. THE CHANGE IN GDR BEHAVIOR BEGAN ABOUT TWO YEARS AGO WHEN THE BOUNDARY MARKING BY THE FRG/GDR COMMISSION WAS

IN FULL SWING AND THE GDR BEGAN REMOVING MINE FIELDS. THE MINES WERE REMOVED BECAUSE FREQUENT FLOODING IN MANY BORDER AREAS WASHED THEM AWAY RESULTING IN DANGER TO INNOCENT EAST AND WEST GERMANS. THE WORK OF THE BORDER MARKING PARTIES ALSO HAD A KIND OF LULLING EFFECT ON WEST GERMANS. WHILE BEFORE IT WAS UNIVERSALLY REALIZED THAT THE BORDER WAS A DANGEROUS THING, THE NEW
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IMPRESSION SEEMS TO BE THAT IT IS A HARMLESS CURIOSITY. THE GARTENSCHLAEGER CASE, IN WHICH A GDR ESCAPEE SUCCESSFULLY DISMANTLED AN EAST GERMAN AUTOMATIC FIRING DEVICE ON THE BORDER BUT WAS SHOT WHEN ATTEMPTING TO LATER TO REPEAT THE ACT, ALSO HAD A DEEP EFFECT ON THE GDR BORDER FORCES. OUR SOURCE BELIEVES THE GARTENSCHLAEGER CASE HAD A PROFOUND PSYCHOLOGICAL EFFECT ON THE EAST GERMAN SECURITY SYSTEM AND HAS LED DIRECTLY TO THE PRESENT SITUATION ON THE BORDER WHICH IS CHARACTERIZED BY SHARP OVERREACTION.

7. WITH RESPECT TO THE DIE WELT REPORT OF A NEW GDR UNIT (PARA 5 REFTEL) WE HAVE BEEN TOLD THAT THE SO-CALLED GRENZAUFKLAERER HAVE LONG BEEN A PART OF THE GDR BORDER SECURITY SYSTEM, THIS IS THE DESIGNATION OF THOSE OFFICIALS AND MEN WHO PATROL BETWEEN THE HEAVY METAL FENCE AND THE BORDER.

8. PRESS PLAY IN THE FRG CONTINUES TO BE VERY HEAVY. OPPOSITION POLITICIANS ARE HAVING A FIELD DAY CONDEMNING THE GDR AND, SOMETIMES BY IMPLICATION AND SOMETIMES DIRECTLY, CRITICIZING THE GOVERNMENT FOR THE WAY IT IS HANDLING INNER-GERMAN AFFAIRS. THERE HAVE BEEN CALLS FOR GDR VIOLATIONS OF HUMAN RIGHTS TO BE TAKEN BEFORE THE UN, TO BE RAISED AT THE CSCE FOLLOW-UP CONFERENCE IN BELGRADE, AND FOR A SUSPENSION OF THE SWING CREDIT ARRANGEMENT. FOREIGN MINISTER GENSCHER HAS CALLED THE BUBBER INCIDENT A CLEAR VIOLATION OF THE CSCE FINAL ACT WHICH WILL BE RAISED IN BELGRADE. HE ALSO CALLED THE CASE A CLASSIC EXAMPLE OF VIOLATION OF HUMAN RIGHTS WHICH SHOULD BE TAKEN BEFORE A UN HUMAN RIGHTS COURT WHICH HE WILL PROPOSE BE ESTABLISHED DURING HIS ADDRESS TO UNGA IN SEPTEMBER. AT THE SAME TIME GENSCHER HAS ATTEMPTED TO PUT THE BRAKE ON RUNAWAY FEELINGS BY EMPHASIZING THAT THE INCIDENTS ARE NOT TO BE SEEN AS A "TREASURE TROVE" FOR ARGUMENTS AGAINST THE NECESSITY OF DETENTE. GOVERNMENT SPOKESMAN BOELLING HAS STRONGLY DEFENDED THE SWING AS ALSO OF INTEREST TO THE FRG. HE ALSO RECALLED THAT THE KIESINGER GOVERNMENT IN 1968 EXPANDED THE SWING ONLY A FEW WEEKS AFTER THE INVASION OF

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CZECHOSLOVAKIA.

9. OUR CONTACT IN THE INNER-GERMAN RELATIONS MINISTRY TELLS US THAT BONN WILL NOW CONCENTRATE ON WAYS TO DEFUSE THE SITUATION. A HEAD-ON COLLISION IS PURPOSELESS AND THERE MAY BE WAYS BYWHICH THE GDR CAN BE BROUGHT AROUND TO MODIFYING ITS STANCE. HE SAYS, NEVERTHELESS, THAT PARTICULARLY IN THIS ELECTION YEAR THERE WILL BE MUCH MORE PLAIN TALK ABOUT THE GDR THAN HERETOFORE BUT THAT THIS SHOULD NOT HAVE REAL EFFECT ON THE INNER-GERMAN RELATIONSHIP. HE ALSO FRANKLY STATED THAT TALK BY GENSCHER OF INVOLVING THE UN AND CSCE IN GDR HUMAN RIGHTS VIOLATIONS WILL HAVE ABSOLUTELY NO EFFECT ON GDR ACTIONS. SUCH TALK IS MEANT FOR DOMESTIC POLITICAL PURPOSES.
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